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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63028

Tomoaki YOSHIDA, et al.

Appln. No.: 10/049,188

Group Art Unit: 1745

Confirmation No.: 8127

Examiner: Gregg CANTELMO

Filed: February 8, 2002

For: CATALYST COMPOSITION FOR CELL, GAS DIFFUSION LAYER, AND FUEL CELL COMPRISING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. Nevertheless, because a 1.97(e) Statement can be executed, one is being submitted herewith.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

In addition, Applicants point out the following. U.S. Patent No. 5,861,222 is an English-language equivalent of EP 0 797 265. EP 0 184 638 and JP 62-287571, which are references applied in the enclosed Communication from a foreign patent office, were made of record in the present application by the Notice of References Cited (Form PTO-892) attached to the Office Action mailed September 21, 2004. JP 60-74354, which is a reference applied in the enclosed Communication from a foreign patent office, was made of record in the present application by the Notice of References Cited (Form PTO-892) attached to the Office Action mailed March 17, 2004.

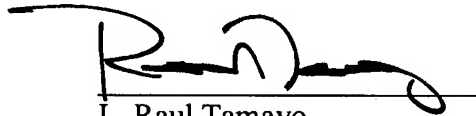
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/049,188

Atty. Docket No. Q63028

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 9, 2006



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CELL COMPRISING THE SAME

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed
concurrently herewith was first cited in any communication from a foreign patent office in a
counterpart foreign application not more than three months prior to the filing of said Information
Disclosure Statement.

Respectfully submitted,

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23373

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Date: November 9, 2006

Substitute for Form 1449 A & B/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/049,188
Confirmation Number	8127
Filing Date	February 8, 2002
First Named Inventor	Tomoaki YOSHIDA
Art Unit	1745
Examiner Name	Gregg CANTELMO
Attorney Docket Number	Q63028

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of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		5,861,222	A	01-19-1999	Fischer et al

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	00/58536	A1	10-05-2000	Ishida et al	
		EP	0 797 265	A2	09-24-1997	Fischer et al	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.